

ORDINANCE NO. 76

**AN ORDINANCE OF THE INLAND EMPIRE UTILITIES AGENCY, A MUNICIPAL WATER DISTRICT, SAN BERNARDINO COUNTY, CALIFORNIA, ESTABLISHING THE EMPLOYMENT STATUS OF DESIGNATED EMPLOYMENT CLASSIFICATIONS**

**BE IT ORDAINED** by the Board of Directors of the Inland Empire Utilities Agency\* as follows:

**Section 1.** From this day forward, all employment and compensation with the Inland Empire Utilities Agency\* for the following classifications, or their successor classifications, are on an "AT-WILL" basis. Employees in these classifications may be terminated with or without cause, and with or without notice, at any time, and without compliance with the terms and conditions regarding the progressive disciplinary process provided for in the Unrepresented Employee Personnel manual, at the option of the Board of Directors or the employee, except as otherwise provide by law or pursuant to Section Two of this Ordinance.

Board Secretary  
Budget Officer  
Chief Executive Officer/General Manager  
Chief Financial Officer  
All Executive Management Positions  
All Department Manager Positions  
Grants Manager/Internal Audit Officer  
Intern Positions  
Limited Term Positions  
Part-time Positions  
Public Information Officer

**Section 2.** The employment and compensation relationship of all employees currently occupying those positions listed in Section One of this Ordinance, who were hired or promoted prior to the effective date of this Ordinance shall be governed by the Ordinance, Personnel Manual, or offer letter in effect on the date this Ordinance becomes effective.

**Section 3.** In the event an employee, except limited term employees, interns, or part-time employees, hired or promoted after the effective date of this Ordinance, in any of the positions listed in Section One, is terminated by the Board of Directors without cause, the employee shall receive severance pay equal to either:

- A. Three months compensation, plus any other benefits afforded to other terminating employee, i.e.; the value of certification allowances, medical, dental, vision, life insurance, vacation accrual, etc., or
- B. As might be provided for under any specific employment contract with the employee.

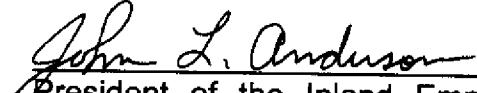
In the event an employee, hired or promoted after the effective date of this Ordinance, in any of the positions listed in Section One, is terminated by the Board of Directors for cause, or voluntarily resigns or retires, the Agency shall have no obligation to pay any severance package provided for in this Section. However, the employee shall remain eligible for any benefits afforded to other terminating employee in a like situation.

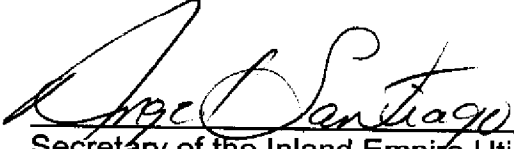
**Section 4.** Due to the effect that "At-Will" status could have on future employees occupying the designated positions, the "At-Will" status of these positions will be acknowledged by employees in their written acceptance of employment letter. Additionally, all recruitment materials and advertisements will clearly identify the designated "At-Will" positions. The failure of any publication to fail to identify "At-Will" positions covered by this Ordinance, shall not change the "At-Will" status of the positions listed in Section One of this Ordinance.

**Section 5.** Ordinance 67 is hereby repealed in its entirety.

**Section 6. EFFECTIVE DATE:** This Ordinance shall become effective upon its passage.

ADOPTED this 4<sup>th</sup> day of February, 2004.

  
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President of the Inland Empire  
Utilities Agency\* and of the Board  
of Directors thereof

  
\_\_\_\_\_  
Secretary of the Inland Empire Utilities  
Agency\* and the Board of Directors thereof

\*A Municipal Water District

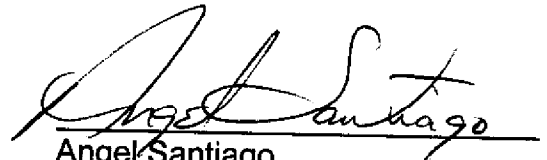
STATE OF CALIFORNIA )  
 )SS  
COUNTY OF )  
SAN BERNARDINO )

I, Angel Santiago, Secretary of the Inland Empire Utilities Agency\*, DO HEREBY CERTIFY that the forgoing Ordinance being No. 76, was adopted at a regular meeting on February 4, 2004 of said Agency by the following vote:

AYES: Santiago, Troxel, Catlin, Koopman, Anderson

NOES: None

ABSENT: None

  
Angel Santiago  
Secretary

(SEAL)